

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)  
2162C-00003/COB

In re Application of: Kai H. Schuette

Application No. 10/619,116

Filed: July 14, 2003

For: DIGITAL CAMERA VALET GATE



The owner\*, CVPS, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent** No. 6,630,893 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent**, "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney of record. Reg. No. 40,344

September 5, 2007

Signature

Date

Bryant E. Wade

Typed or printed name

(248) 641-1600

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).

Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2007</h2> <p style="font-size: small; margin: 0;">Effective 2/8/2006. Patent fees are subject to annual revision.</p>		<p style="margin: 0;"><b>Complete If Known</b></p>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number: 10/619,116 Filing Date: July 14, 2003 First Named Inventor: Kai H. Schuette Examiner Name: Pope, Daryl C Art Unit: 2612 Attorney Docket No.: 2162C-000003/COB	
<b>TOTAL AMOUNT OF PAYMENT</b> (\$) 390			

<p><b>METHOD OF PAYMENT</b> (check all that apply)</p> <p> <input checked="" type="checkbox"/> Check                   <input type="checkbox"/> Credit card                   <input type="checkbox"/> Money Order                   <input type="checkbox"/> Other                   <input type="checkbox"/> None             </p> <p> <input checked="" type="checkbox"/> Deposit Account:             </p> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">                 Deposit Account Number: 08-0750             </div> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">                 Deposit Account Name: Harness, Dickey &amp; Pierce, PLC             </div> <p><b>The Director is authorized to:</b> (check all that apply)</p> <p> <input type="checkbox"/> Charge fee(s) indicated below                   <input checked="" type="checkbox"/> Credit any overpayments  <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application  <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.             </p> <p style="text-align: center;"><b>FEE CALCULATION</b></p> <p><b>1. BASIC FILING FEE</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1011</td> <td>300</td> <td>2011</td> <td>150</td> <td>Utility filing fee</td> <td></td> </tr> <tr> <td>1012</td> <td>200</td> <td>2012</td> <td>100</td> <td>Design filing fee</td> <td></td> </tr> <tr> <td>1013</td> <td>200</td> <td>2013</td> <td>100</td> <td>Plant filing fee</td> <td></td> </tr> <tr> <td>1014</td> <td>300</td> <td>2014</td> <td>150</td> <td>Reissue filing fee</td> <td></td> </tr> <tr> <td>1005</td> <td>200</td> <td>2005</td> <td>100</td> <td>Provisional filing fee</td> <td></td> </tr> <tr> <td colspan="5" style="text-align: right;"><b>SUBTOTAL (1)</b></td> <td style="border: 1px solid black;">(\$0)</td> </tr> </tbody> </table> <p><b>2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE</b></p> <table style="width: 100%;"> <tr> <td>Total Claims</td> <td>29</td> <td>-24 **</td> <td>=</td> <td>5</td> <td>X</td> <td>Fee from below</td> <td>25</td> <td>=</td> <td>125</td> </tr> <tr> <td>Independent Claims</td> <td>6</td> <td>-4 **</td> <td>=</td> <td>2</td> <td>X</td> <td>Fee from below</td> <td>100</td> <td>=</td> <td>200</td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td></td> <td></td> <td></td> <td>X</td> <td>Fee from below</td> <td></td> <td>=</td> <td>0</td> </tr> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee Paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>1202</td> <td>50</td> <td>2202</td> <td>25</td> <td>Claims in excess of 20</td> <td></td> </tr> <tr> <td>1201</td> <td>200</td> <td>2201</td> <td>100</td> <td>Independent claims in excess of 3</td> <td></td> </tr> <tr> <td>1203</td> <td>360</td> <td>2203</td> <td>180</td> <td>Multiple dependent claim, if not paid</td> <td></td> </tr> <tr> <td>1204</td> <td>200</td> <td>2204</td> <td>100</td> <td>** Reissue independent claims over original patent</td> <td></td> </tr> <tr> <td>1205</td> <td>50</td> <td>2205</td> <td>25</td> <td>** Reissue claims in excess of 20 and over original patent</td> <td></td> </tr> <tr> <td colspan="5" style="text-align: right;"><b>SUBTOTAL (2)</b></td> <td style="border: 1px solid black;">(\$325)</td> </tr> </tbody> </table> <p style="font-size: x-small;">**or number previously paid, if greater; For Reissues, see above</p>	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1011	300	2011	150	Utility filing fee		1012	200	2012	100	Design filing fee		1013	200	2013	100	Plant filing fee		1014	300	2014	150	Reissue filing fee		1005	200	2005	100	Provisional filing fee		<b>SUBTOTAL (1)</b>					(\$0)	Total Claims	29	-24 **	=	5	X	Fee from below	25	=	125	Independent Claims	6	-4 **	=	2	X	Fee from below	100	=	200	Multiple Dependent					X	Fee from below		=	0	Large Entity		Small Entity		Fee Description	Fee Paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	1202	50	2202	25	Claims in excess of 20		1201	200	2201	100	Independent claims in excess of 3		1203	360	2203	180	Multiple dependent claim, if not paid		1204	200	2204	100	** Reissue independent claims over original patent		1205	50	2205	25	** Reissue claims in excess of 20 and over original patent		<b>SUBTOTAL (2)</b>					(\$325)	<p><b>3. 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1253	1020	2253	510	Extension for reply within third month																																																																																																																																																																																																																																																																																																																																																																									
1254	1,590	2254	795	Extension for reply within fourth month																																																																																																																																																																																																																																																																																																																																																																									
1255	2,160	2255	1080	Extension for reply within fifth month																																																																																																																																																																																																																																																																																																																																																																									
1401	500	2401	250	Notice of Appeal																																																																																																																																																																																																																																																																																																																																																																									
1402	500	2402	250	Filing a brief in support of an appeal																																																																																																																																																																																																																																																																																																																																																																									
1403	1000	2403	500	Request for oral hearing																																																																																																																																																																																																																																																																																																																																																																									
1452	500	2452	250	Petition to revive - unavoidable																																																																																																																																																																																																																																																																																																																																																																									
1453	1500	2453	750	Petition to revive - unintentional																																																																																																																																																																																																																																																																																																																																																																									
1462	400	1462	400	Petition fee under 37 CFR 1.17(f)																																																																																																																																																																																																																																																																																																																																																																									
1463	200	1463	200	Petition fee under 37 CFR 1.17(g)																																																																																																																																																																																																																																																																																																																																																																									
1464	130	1464	130	Petition fee under 37 CFR 1.17(h)																																																																																																																																																																																																																																																																																																																																																																									
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)																																																																																																																																																																																																																																																																																																																																																																									
1806	180	1806	180	Submission of Information Disclosure Stmt																																																																																																																																																																																																																																																																																																																																																																									
8021	40	8021	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																																																																																																																																																																																																																									
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))																																																																																																																																																																																																																																																																																																																																																																									
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))																																																																																																																																																																																																																																																																																																																																																																									
1801	790	2801	395	Request for Continued Examination (RCE)																																																																																																																																																																																																																																																																																																																																																																									
Other fee (specify) #1814 Terminal Disclaimer fee					65																																																																																																																																																																																																																																																																																																																																																																								
<b>*Reduced by Basic Filing Fee Paid</b>					(\$65)																																																																																																																																																																																																																																																																																																																																																																								
<b>SUBTOTAL (3)</b>					(\$65)																																																																																																																																																																																																																																																																																																																																																																								
Large Entity		Small Entity		Fee Description	Fee Paid																																																																																																																																																																																																																																																																																																																																																																								
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																																																																																																																																																																																																										
1111	500	2111	250	Utility Search Fee																																																																																																																																																																																																																																																																																																																																																																									
1112	100	2112	50	Design Search Fee																																																																																																																																																																																																																																																																																																																																																																									
1113	300	2113	150	Plant Search Fee																																																																																																																																																																																																																																																																																																																																																																									
1114	500	2114	250	Reissue Search Fee																																																																																																																																																																																																																																																																																																																																																																									
1311	200	2311	100	Utility Examination Fee																																																																																																																																																																																																																																																																																																																																																																									
1312	130	2312	65	Design Examination Fee																																																																																																																																																																																																																																																																																																																																																																									
1313	160	2313	80	Plant Examination Fee																																																																																																																																																																																																																																																																																																																																																																									
1314	600	2314	300	Reissue Examination Fee																																																																																																																																																																																																																																																																																																																																																																									
<b>SUBTOTAL (4)</b>					(\$0)																																																																																																																																																																																																																																																																																																																																																																								

<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Name (Print/Type)	Bryant E. Wade	Registration No. (Attorney/Agent)	40,344
Signature		Telephone	248 641 1600
		Date	September 5, 2007